



PATENT
Attorney Docket No.: WYE-024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Burczynski *et al.* CONFIRMATION NO.: 1858
APPLICATION NO.: 10/775,169 GROUP NO.: 1636
FILING DATE: February 11, 2004 EXAMINER: Schlapkohl, Walter
TITLE: Methods for Monitoring Drug Activities *In Vivo*

Mail Stop Sequence
Commissioner for Patents
P.O. Box 22313 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF COMPACT DISCS CONTAINING SEQUENCE
LISTING AND TABLE 1 (THE QUALIFIER TABLE)**

Dear Sir:

Applicants submit herewith four compact discs under 37 C.F.R. § 1.52(e). The machine format of each compact disc is IBM-PC and the operating system of each compact disc is MS-Windows.

Applicants submit two compact discs labeled "Copy 1 CD Containing Sequence Listing" and "Copy 2 CD Containing Sequence Listing," respectively, each of which contains a single file (3,647 KB) named "Sequence Listing.ST25.txt." The "Sequence Listing.ST25.txt" file was created on January 3, 2007, and is a Sequence Listing presented as a text file in accordance with 37 C.F.R §§ 1.821-1.825. In accordance with 37 C.F.R. § 1.52(e)(4), Applicants submit that the contents of the compact discs labeled "Copy 1 CD Containing Sequence Listing" and "Copy 2 CD Containing Sequence Listing" are identical.

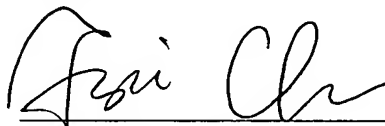
Applicants also submit two compact discs labeled "Copy 1 Replacement 01/02/2007 CD Containing Table 1" and "Copy 2 Replacement 01/02/2007 CD Containing Table 1," respectively, to replace the compact discs labeled "Copy 1" and "Copy 2" submitted on February 11, 2004. Applicants have amended the information on the compact discs submitted on February 11, 2004, to delete the Sequence Listing. Accordingly, each replacement compact disc contains a single file (210 KB) named "Table 1 (the Qualifier Table).txt." The "Table 1 (the Qualifier

Table).txt" file was created on February 8, 2004, and is a table presented in accordance with 37 C.F.R. § 1.52(e). Applicants submit that the contents of the compact discs labeled "Copy 1 Replacement 01/02/2007 CD Containing Table 1" and "Copy 2 Replacement 01/02/2007 CD Containing Table 1" are identical and the replacement discs contain no new matter.

In addition, Applicants submit herewith a paper titled "Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" to amend the specification to include an incorporation-by-reference of the materials on the compact discs in compliance with 37 C.F.R. §§ 1.52(e)(5) and 1.77(b)(5).

Applicants invite the Examiner to telephone the undersigned attorney to discuss any issues relating to this paper. Early and favorable action are respectfully solicited.

Respectfully submitted,



Fangli Chen, Ph.D.
Attorney for the Applicants
Kirkpatrick & Lockhart Preston
Gates Ellis LLP
State Street Financial Center
One Lincoln Street
Boston, MA 02111-2950

Dated: January 3, 2007
Reg. No. 51,551

Tel. No.: (617) 261-3198
Fax No.: (617) 261-3175